

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: PERRICAUDET  
Serial No.: 09/454737  
Filed: December 6, 1999  
Notice of Allow. Date: Na  
Due Date: March 6, 2000  
Title: VIRAL RECOMBINANT VECTORS FOR EXPRESSION IN MUSCLE CELLS

Examiner: Unknown  
Group Art Unit: 1633  
Docket: 8076.85USC1  
Batch No.: Na

FEB 8 2000  
TECH CENTER 1600/2900

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described herein, are being deposited in the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: Box MISSING PARTS Assistant Commissioner for Patents, Washington, D.C. 20231, on January 19, 2000.

By: 

John J. Gressens

Box MISSING PARTS  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Signed Combined Declaration and Power of Attorney
- ☒ Other: Communication Regarding Erroneous Notice to File Missing Parts of Application; Copy of Notice to File Missing Parts
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.  
3100 Norwest Center, Minneapolis, MN 55402  
(612) 332-5300

By: 

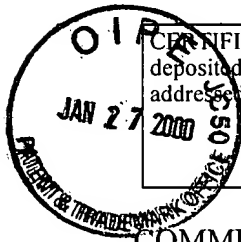
Name: John J. Gressens  
Reg. No.: 33,112  
JJG/sef

S/N 09/454737

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	PERRICAUDET	Examiner:	UNKNOWN
Serial No.:	09/454737	Group Art Unit:	1633
Filed:	December 6, 1999	Docket No.:	8076.85USC1
Title:	VIRAL RECOMBINANT VECTORS FOR EXPRESSION IN MUSCLE CELLS		



CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited in the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on January 19, 2000.

By:   
Name: John J. Gresens

COMMUNICATION RE: ERRONEOUS NOTICE TO FILE MISSING PARTS OF APPLICATION

BOX MISSING PARTS  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

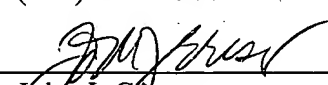
In connection with the above-identified application, attached please find a copy of the Notice to File Missing Parts of Application. This document has been issued in error as the Combined Declaration and Power of Attorney was filed with the application on December 6, 1999. We have received the return postcard acknowledging receipt of this item and have attached a copy of it and the Combined Declaration and Power of Attorney as filed. In a phone conversation on January 19, 2000 with the Initial Patent Examination Division, a copy of the Combined Declaration and Power of Attorney was found in the file.

The surcharge of \$130.00 has not been enclosed and is not required since the Declaration was filed the same day as the filing of the application pursuant to 37 C.F.R. 1.16(e).

If it is determined that there is a statutory date where a response has not been filed the necessary fees should be charged to Deposit Account No. 13-2725.

Respectfully submitted,  
MERCHANT & GOULD P.C.  
3100 Norwest Center  
90 South 7th Street  
Minneapolis, MN 55402  
(612) 332-5300

Dated: January 19, 2000

By:   
John J. Gresens  
Reg. No. 33,112  
JJG/sef



Receipt is hereby acknowledged for the following in the U.S. Patent and Trademark Office:

Mail # 8076.85USCT Applicant: PERRICAUD, et al.

Express Mail # EL435540452US

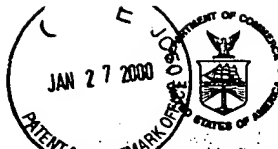
Date of Deposit: December 6, 1999

- ☒ A request for filing a continuation application under 37 CFR § 1.53(b)
- ☒ The copy of the prior application is as follows: 10 pages of specification, 9 claims, 1 pages of abstract, 1 sheets of drawings, and 8 pages of oath or declaration. Also enclosed is a copy of the English Translation of the of the prior application and verification.
- ☒ Attached is a check in the amount of \$760.00.
- ☒ A set of formal drawings (1 sheets) is enclosed.
- ☒ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

JC568 U.S. PTO  
09/454737  
12/06/99

Patent Application

MTS:PST/slc



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/454,737 12/06/99 FERRICAUDET

N.T. 8076.85USC1

0222/0106

NOT ASSIGNED

MARK T SKOOG  
MERCHANT & GOULD PC  
3100 NORTHWEST CENTER  
90 SOUTH SEVENTH STREET  
MINNEAPOLIS MN 55402-4131

1633

DATE MAILED:

01/06/00

### NOTICE TO FILE MISSING PARTS OF APPLICATION

#### Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of \$65.00 for a small entity in compliance with 37 CFR 1.27, or \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a  
☐ small entity (statement filed) ☒ non-small entity is \$ 130

☐ 1. The statutory basic filing fee is:

- ☐ missing  
☒ insufficient.

Applicant must submit \$ \_\_\_\_\_ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☐ 2. The following additional claims fees are due:

\$ \_\_\_\_\_ for \_\_\_\_\_ total claims over 20.  
\$ \_\_\_\_\_ for \_\_\_\_\_ independent claims over 3.  
\$ \_\_\_\_\_ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☒ is missing or unsigned.  
☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice **MUST** be returned with the reply.

Adjustment Date: 10/24/2000 PHILSON  
0270272000 115011 80000140 132725 09454737  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

1/2000 TL0011 00000140 132725 09454737 130. CH 1:105